

Senate Bill No. 1032

Passed the Senate August 22, 2006

Secretary of the Senate

Passed the Assembly August 7, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 331 and 332 of the Fish and Game Code, relating to hunting.

LEGISLATIVE COUNSEL'S DIGEST

SB 1032, Hollingsworth. Antelope and elk hunting.

Existing law authorizes a resident of the state to obtain a license tag for the taking of antelope or elk if certain requirements are met. Existing law fixes the fee for an antelope license tag at \$55 per person and the fee for an elk license tag at \$165 per person, and specifies that only a resident of the State of California possessing a valid hunting license may obtain a license tag for the taking of antelope or elk, as provided. Existing law requires the Fish and Game Commission to annually direct the Department of Fish and Game to authorize the sale of a specified number of antelope, elk, and deer license tags that may be sold at auction to residents or nonresidents, as provided.

This bill would authorize any person generally, without regard to residency, to obtain an antelope or elk license tag if certain requirements are met. The bill would also require the commission on or before July 1, 2007, and by regulation, to fix the antelope license tag fee for a nonresident of the state at not less than \$350 and to fix the elk license tag fee for a nonresident of the state at not less than \$1050. The bill would limit the number of tags issued annually to nonresidents to one antelope tag and one elk tag.

The people of the State of California do enact as follows:

SECTION 1. Section 331 of the Fish and Game Code is amended to read:

331. (a) The commission may determine and fix the area or areas, the seasons and hours, the bag and possession limit, and the sex and total number of antelope (*Antilocapra americana*) that may be taken under regulations which the commission may adopt from time to time. Only a person possessing a valid hunting license, who has not received an antelope license tag under these

provisions during a period of time specified by the commission, may obtain a license tag for the taking of antelope.

(b) The department may issue a license tag upon payment of a fee. The fee for a license tag shall be fifty-five dollars (\$55) for a resident of the state, as adjusted under Section 713. On or before July 1, 2007, the commission shall, by regulation, fix the fee for a nonresident of the state at not less than a fee of three hundred fifty dollars (\$350), as adjusted under Section 713. The fee shall be deposited in the Fish and Game Preservation Fund and shall be expended, in addition to money budgeted for salaries of persons in the department, for the expense of implementing this section.

(c) The commission shall direct the department to annually authorize not less than one antelope tag or more than 1 percent of the total number of tags available for the purpose of raising funds for programs and projects to benefit antelope. These tags may be sold at auction to residents or nonresidents of the state or by another method and are not subject to the fee limitation prescribed in subdivision (b).

(d) The commission shall direct the department to annually authorize one antelope tag of the total number of tags available for issuance to nonresidents of the state.

SEC. 2. Section 332 of the Fish and Game Code is amended to read:

332. (a) The commission may determine and fix the area or areas, the seasons and hours, the bag and possession limit, and the number of elk that may be taken under rules and regulations which the commission may adopt from time to time. The commission may authorize the taking of tule elk if the average of the department's statewide tule elk population estimates exceeds 2,000 animals, or the Legislature determines, pursuant to the reports required by Section 3951, that suitable areas cannot be found in the state to accommodate that population in a healthy condition.

(b) Only a person possessing a valid hunting license may obtain a license tag for the taking of elk.

(c) The department may issue an elk license tag upon payment of a fee. The fee for a license tag shall be one hundred sixty-five dollars (\$165) for a resident of the state, as adjusted under Section 713. On or before July 1, 2007, the commission shall, by

regulation, fix the fee for a nonresident of the state at not less than one thousand fifty dollars (\$1050), as adjusted under Section 713. The fees shall be deposited in the Fish and Game Preservation Fund and shall be expended, in addition to money budgeted for salaries of the department, for the expense of implementing this section and Section 3951.

(d) The commission shall annually direct the department to authorize not more than three elk hunting license tags for the purpose of raising funds for programs and projects to benefit elk. These license tags may be sold at auction to residents or nonresidents of the state or by another method and are not subject to the fee limitation prescribed in subdivision (c).

(e) The commission shall direct the department to annually authorize one elk tag of the total number of tags available for issuance to nonresidents of the state.

Approved _____, 2006

Governor